IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.1535 of 2004

Vijaya Bank. ...Plaintiff

vs.

1.Shri.Rohidas H. Petkar & Anr. ...Defendants

...

Mr.S.A.Shetty, for Plaintiff.

Mr.S.V.Masurkar, for Defendant no.2.

CORAM: D.K.DESHMUKH, J.

DATED: 6th DECEMBER,2006

P.C.:

. Writ of summons has been served. The defendant no.1 is not appearing though served. The defendant no.2 has filed his appearance after the period prescribed under the provisions of Order 37 of C.P.C. Affidavit of service has been filed. Heard the learned Counsel appearing for plaintiff. Perused the record including original documents. The plaintiff is entitled to a decree under the provisions of Order 37 of C.P.C. Suit is decreed in terms of prayer clause (a) & (b). Refund of court fees as per rules.

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